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SENATE

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108-133

### SANDPOINT LAND AND FACILITIES CONVEYANCE ACT OF 2003

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AUGUST 26, 2003.—Ordered to be printed

Filed, under authority of the order of the Senate of July 29 (legislative day, July 21), 2003

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Mr. DOMENICI, from the Committee on Energy and Natural Resources, submitted the following

### R E P O R T

[To accompany S. 435]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 435) to provide for the conveyance by the Secretary of Agriculture of the Sandpoint Federal Building and adjacent land in Sandpoint, Idaho, and for other purposes, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, do pass.

The amendments are as follows:

1. On page 6, line 4, insert “section 13 of” before “the Act”.
2. On page 6, lines 6 and 7, strike “the fourteenth paragraph under the heading ‘Forest Service’ in”.

#### PURPOSE OF THE MEASURE

The purpose of S. 435 is to provide for the conveyance by the Secretary of Agriculture of The Sandpoint Federal Building and adjacent land in Sandpoint, Idaho.

#### BACKGROUND AND NEED

S. 435 transfers ownership of a General Service Administration (GSA) building currently housing the Forest Service offices. The bill also provides authority for the Forest Service to work with Bonner County to transfer the building to Bonner County in exchange for a new and more functional building. This transfer of ownership will not only provide the opportunity for the local Forest

Service office to obtain a facility that best meets their needs, but also will meet the facility needs of Bonner County.

The transfer of this facility will allow the Forest Service to improve service to the public, improve public and employee safety, and make the Idaho Panhandle National Forest more financially competitive. In turn, Bonner County will benefit by obtaining a building in which they can consolidate county offices so that better services can be provided to the local public.

Additionally, the GSA will dispose of a building that is only partially occupied and is remotely located from other GSA facilities.

#### LEGISLATIVE HISTORY

S. 435 was introduced by Senator Craig for himself and Senator Crapo on February 25, 2003. The Subcommittee on Public Lands and Forests held a hearing on S. 435 on June 12, 2003. The Committee favorably reported S. 435 with an amendment on July 23, 2003.

#### COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in an open business session on July 23, 2003, by a voice vote of a quorum present, recommends that the Senate pass S. 435, if amended as described herein.

#### COMMITTEE AMENDMENTS

The Committee on Energy and Natural Resources adopted two amendments that made minor technical corrections to two of the citations in section 3(c)(2) and (3) of the bill.

#### SECTION-BY-SECTION ANALYSIS

Section 1 provides the short title for the bill.

Section 2(a) directs the Administrator of General Services Administration to transfer the Sandpoint Federal Building to the Secretary of Agriculture.

Subsection (b) requires the Secretary to assume the obligation of the Administrator of General Service Administration to the Federal Finance Bank.

Subsection (c) authorizes the Secretary to convey the property identified in subsection (a) by quitclaim deed. This subsection also authorizes the Secretary to solicit and reject offers for the conveyance of the property.

Subsection (d) provides that (1) an amount equal to the fair market value of the property will be paid to the Secretary; such amount can be paid with cash or construction of facilities for the Forest Service; (2) if the consideration is construction, such construction must be built according to terms and conditions of the Secretary; and (3) cash equalization may be accepted that equals an amount greater than 25 percent of the land value.

Section 3(a) directs the Secretary to deposit the proceeds derived from conveyances in the fund established by the Sisk Act to pay for the acquisition, construction, or improvement of administrative facilities for the Forest Service, or the acquisition of lands and interests in the Northern Region of the Forest Service in the State of Idaho.

Subsection (c) imposes limits on the use of funds deposited under this section and directs that they cannot be distributed to states or counties.

Subsection (d) directs that lands acquired under this Act be managed in accordance with the Weeks Law.

Subsection (e) states that the conveyance of property under this section shall be subject to the laws applicable to conveyances of National Forest System land.

#### COST AND BUDGETARY CONSIDERATIONS

The Congressional Budget Office estimate of the costs of this measure has been requested but was not received at the time the report was filed. When the report is available, the Chairman will request it to be printed in the Congressional Record for the advice of the Senate.

#### REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 435. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 425, as ordered reported.

#### EXECUTIVE COMMUNICATIONS

The Committee on Energy and Natural Resources has requested legislative reports from the Department of Agriculture and the Office of Management and Budget setting forth Executive agency recommendations on S. 435. These reports had not been received at the time the report on S. 435 was filed. When the reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony provided by the United States Forest Service at the Subcommittee hearing follows:

#### STATEMENT OF TOM THOMPSON, DEPUTY CHIEF, NATIONAL FOREST SYSTEM, FOREST SERVICE, DEPARTMENT OF AGRICULTURE

S. 435 directs the Administrator of General Services Administration to transfer to the Secretary of Agriculture, without reimbursement, administrative jurisdiction over the Sandpoint Federal Building and 3.17 acres of land in Sandpoint, Idaho. The bill requires the Secretary to assume the obligation of the Administrator to repay to the Federal Finance Bank the debt incurred with respect to the property.

S. 435 authorizes the Secretary to sell or exchange all right, title, and interest of the United States in and to the property for market value. An exchange consideration may, if elected by the Secretary, include the construction

of administration facilities for the National Forest System in Bonner County, Idaho. The bill requires the entity acquiring the property to honor any outstanding indebtedness on the property to the Federal Finance Bank.

Further, the Secretary can use proceeds from the sale of the property only for: (1) the acquisition, construction, or improvement of administrative facilities and associated land; and (2) the acquisition of land and interests in land for addition to National Forest System in the Northern Region of the Forest Service in Idaho.

The Forest Service has leased the General Services Administration Sandpoint Federal Building for almost 30 years. The building is too large for the combined federal presence and steps should be taken to address this problem. The Administration is still developing a position on this bill.

#### CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the bill S. 435 as ordered reported.

